

## **REMARKS**

Applicant is in receipt of the Office Action mailed July 25, 2007. Claims 8, 14, and 17-22 have been cancelled. Claims 1, 9-12, 15-16, and 23-26 have been amended. New claims 27-33 have been added. Thus, claims 1-7, 9-13, and 15-16, and 23-33 are pending in the case. Reconsideration of the present case is earnestly requested in light of the following remarks.

### **Objections**

Figure 1A was objected to for lacking a “Prior Art” designation. Applicant respectfully submits that a reader would be confused if Figure 1A were labeled “Prior Art”, since according to the Specification the computer system shown implements embodiments of the present invention. For example, note that the Brief Description of the Drawings states “Figure 1A illustrates a computer system operable to execute a graphical program according to an embodiment of the present invention”. More specifically, the Specification, p.21, lines 1-21 reads:

Figure 1A illustrates a computer system 82 **operable to execute software programs according to various embodiments of the present invention.** Various embodiments of a method for specifying and performing a signal analysis function are described below. It should be noted that as used herein, the term “signal analysis function” refers to any type of function that relates to the generation, acquisition, and/or analysis of signals, e.g., for measurement, testing, control, simulation or modeling, design, prototyping, and so forth.

As shown in Figure 1A, the computer system 82 may include a display device operable to display signal analysis results as the signal analysis function is created and/or executed. The display device may also be operable to display a graphical user interface during execution of the program. The graphical user interface may comprise any type of graphical user interface, e.g., depending on the computing platform.

The computer system 82 may include a memory medium(s) on which one or more computer programs or software components according to one embodiment of the present invention may be stored. For example, **the memory medium may store one or more programs, e.g., graphical programs, which are executable to perform the methods described herein.** For example, **the memory medium may store one or more software programs implementing a signal analysis function development environment, described below in detail, which may**

**facilitate interactive specification, development, and execution of signal analysis functions**. More specifically, the signal analysis function development environment may provide an integrated interface for a plurality of instruments for signal analysis, described below. (*emphasis added*)

As may be seen, were the computer system of Figure 1A declared as Prior Art, the reader might get the incorrect impression that a computer system configured with software according to the present invention is prior art, which is certainly not the case. Applicant thus respectfully requests removal of the objection to Figure 1A.

### **Allowed Subject Matter**

Applicant has decided to accept the allowed subject matter of claims 14-23, but reserves the right to pursue the original claimed subject matter in a subsequent continuation application.

Accordingly, as indicated above:

Applicant has amended independent claims 1, 24, 25, and 26, to include the allowed subject matter of claims 8 and 14, now cancelled.

Applicant has added new independent claim 27, based on the subject matter of claims 1, 8, and 17 (now cancelled), and new dependent claims 28-30, based on the subject matter of original dependent claims 18-20, now cancelled.

Applicant has added new independent claim 31, based on the subject matter of claims 1, 8, and 21 (now cancelled), and new dependent claim 32, based on the subject matter of original dependent claim 22, now cancelled.

Applicant has added new independent claim 33, based on the subject matter of claims 1 and 23.

### **Rejections**

Claims 1-8 and 24-26 were rejected under 35 U.S.C. 102(b) as being anticipated by Lewis et al. (US 5,748,881, “Lewis”).

Claims 9, 12, and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis, in view of Richards et al. (US 5,499,373, “Richards”).

Claim 8 has been cancelled, thus rendering the rejection of that claim moot.

Applicant as amended the claims to accept the allowed subject matter, and respectfully submits that the claims as currently written are thus patentably distinct and non-obvious over the cited art.

## **CONCLUSION**

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above-referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Meyertons, Hood, Kivlin, Kowert & Goetzel P.C., Deposit Account No. 50-1505/5150-82500/JCH.

Also filed herewith are the following items:

- ☐ Request for Continued Examination
- ☐ Terminal Disclaimer
- ☐ Power of Attorney By Assignee and Revocation of Previous Powers
- ☐ Notice of Change of Address
- ☐ Other:

Respectfully submitted,

/Jeffrey C. Hood/

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